

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Mark Cooper,

Plaintiff

Case No. 2:24-cv-001637-CDS-BNW

v.

Jasney Robertson,

Defendant

Order Adopting Magistrate Judge's Report
and Recommendation and Closing Case

[ECF No. 4]

Magistrate Judge Brenda Weksler issued a report and recommendation (R&R) that I dismiss this case for plaintiff Mark Cooper's failure to establish federal question or diversity jurisdiction. ECF No. 4. Cooper had until September 24, 2024, to file any objections to the R&R. *Id.* at 3 (citing LR IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within fourteen days)); *see also* 28 U.S.C. § 636(b)(1)(C) (same). As of the date of this order, Cooper has neither objected to the R&R nor requested more time to do so. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.” *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). As no objections have been filed, I adopt the R&R in full.

Further, pro se litigants should be given leave to amend unless it is absolutely clear that the defective complaint cannot be cured by amendment. *Lucas v. Dep’t of Corr.*, 66 F.3d 245, 248 (9th Cir. 1995). Here, Judge Weksler correctly found that this court lacks subject matter jurisdiction, and no amendment can cure this defect in the complaint. As a result, amendment would thus be futile and is therefore denied.

Conclusion

It is therefore ordered that Judge Weksler's report and recommendation [ECF No. 4] is adopted in its entirety. This action is now dismissed without prejudice. The Clerk of Court is kindly instructed to close this case.

Dated: October 4, 2024

~~Cristina D. Silva
United States District Judge~~